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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2020-

**AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO ONE OR MORE
CONTRACTS TO COMPLETE WORK REQUIRED BY THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT FOR WATER RIGHTS-RELATED ACTIVITIES**

WHEREAS:

1. The State Water Resources Control Board (State Water Board) must comply with the California Environmental Quality Act (CEQA) when it takes discretionary actions related to its authorities, including acting on requests for water quality certification or an application or permit for a water right;
2. California Code of Regulations, title 14, section 15045, subdivision (a) provides legal authority for the CEQA lead agency to charge and collect reasonable fees for the cost of completing environmental activities and documentation;
3. The State Water Board's Division of Water Rights has faced delays in developing and executing memorandums of understanding (MOUs) for the payment and completion of CEQA activities when the State Water Board is the lead agency, the refusal of applicants or petitioners to provide payment to consultants for the completion of environmental activities and documentation required by CEQA, or unsatisfactory work products; and
4. Delegation of this authority to the Executive Director will allow for completion of environmental documentation, with cost recovery from the applicant and/or petitioner, for the timely completion of water rights-related activities.

THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director to:

1. Execute one or more contracts for a total amount not to exceed \$1 million per year for a duration not to exceed five years to administer funds from the Water Rights Fund to hire environmental consultants to complete work require by CEQA for projects processed by the Division of Water Rights.
2. Make direct payments for such work from the Water Rights Fund for a total amount not to exceed \$1 million per year;
3. Pursue cost recovery from the applicant and/or petitioner in order to reimburse the Water Rights Fund; and

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4. Redelegate this authority, as appropriate.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 1, 2020.

Jeanine Townsend
Clerk to the Board